

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
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ELECTRONICALLY FILED  
DOC #:  
DATE FILED: 1/13/2021

United States of America

Protective Order

v.

20 Cr. 574 (NSR)

VINCENT JACKSON, a/k/a "Coke,"  
ROBER BROWN, a/k/a "Bob-O,"  
ELIJAH McNAIR, a/k/a "E," and  
DANTE NICHOLAS, a/k/a "P,"

*Defendants.*

Upon the application of the United States of America, with the consent of the undersigned counsel, and the defendants having requested discovery under Fed. R. Crim. P. 16, the Court hereby finds and orders as follows:

1. **Disclosure Material.** The Government will make disclosure to the defendants of documents, objects and information, including electronically stored information ("ESI"), pursuant to Federal Rule of Criminal Procedure 16, 18 U.S.C. §3500, and the Government's general obligation to produce exculpatory and impeachment material in criminal cases, all of which will be referred to herein as "disclosure material." The Government's disclosure material may include material that (i) affects the privacy and confidentiality of individuals; (ii) would impede, if prematurely disclosed, the Government's ongoing investigation of uncharged individuals; (iii) would risk prejudicial pretrial publicity if publicly disseminated; and (iv) that is not authorized to be disclosed to the public or disclosed beyond that which is necessary for the defense of this criminal case.

2. **Sensitive Disclosure Material.** Certain of the Government's disclosure material, referred to herein as "sensitive disclosure material," contains information that identifies, or could

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lead to the identification of, witnesses who may be subject to intimidation or obstruction, and whose lives, persons, and property, as well as the lives, persons and property of loved ones, will be subject to risk of harm absent the protective considerations set forth herein. The Government's designation of material as sensitive disclosure material will be controlling absent contrary order of the Court.

**NOW, THEREFORE, FOR GOOD CAUSE SHOWN, IT IS HEREBY ORDERED:**

1. Disclosure material shall not be disclosed by the defendant or defense counsel, including any successor counsel ("the defense") other than as set forth herein, and shall be used by the defense solely for purposes of defending this action. The defense shall not post any disclosure material on any Internet site or network site to which persons other than the parties hereto have access, and shall not disclose any disclosure material to the media or any third party except as set forth below.

2. Disclosure material that is not sensitive disclosure material may be disclosed by counsel to:

(a) Personnel for whose conduct counsel is responsible, *i.e.*, personnel employed by or retained by counsel, as needed for purposes of defending this action;

(b) Prospective witnesses for purposes of defending this action.

3. Sensitive disclosure material shall be disclosed only as follows:

(a) Personnel for whose conduct counsel is responsible, *i.e.*, personnel employed by or retained by counsel, as needed for purposes of defending this action;

order dismissing any of the charges in the above-captioned case; or the granting of any motion made on behalf of the Government dismissing any charges in the above-captioned case, whichever date is later. If disclosure material is provided to any prospective witnesses, counsel shall make reasonable efforts to seek the return or destruction of such materials.

8. The defense shall provide a copy of this Order to prospective witnesses and persons retained by counsel to whom the defense has disclosed disclosure material or the Government's ESI production. All such persons shall be subject to the terms of this Order. Defense counsel shall maintain a record of what information has been disclosed to which such persons.

9. This Order places no restriction on a defendant's use or disclosure of ESI that originally belonged to the defendant.



## Retention of Jurisdiction


10. The provisions of this order shall not terminate at the conclusion of this criminal prosecution and the Court will retain jurisdiction to enforce this Order following termination of the case.

AGREED AND CONSENTED TO:

AUDREY STRAUSS  
Acting United States Attorney

by: CD Brumwell  
Christopher D. Brumwell  
Assistant United States Attorney

Date: 11/30/20

  
Michael Burke  
Counsel for Vincent Jackson

Date: 11/30/20

Deveraux Cannick  
Counsel for Elijah McNair

Date: \_\_\_\_\_

John Wallenstein  
Counsel for Robert Brown

Date: \_\_\_\_\_

SO ORDERED:

Dated: White Plains, New York

SEE PAGE 7

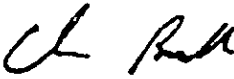
THE HONORABLE NELSON S. ROMAN  
UNITED STATES DISTRICT JUDGE

**Retention of Jurisdiction**

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**AGREED AND CONSENTED TO:**

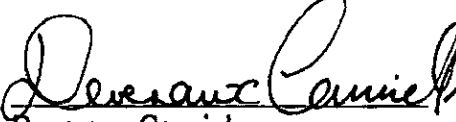
AUDREY STRAUSS  
Acting United States Attorney

by:   
Christopher D. Brumwell  
Assistant United States Attorney

Date: \_\_\_\_\_

\_\_\_\_\_  
Michael Burke  
Counsel for Vincent Jackson

Date: \_\_\_\_\_

  
Deveraux Cannick  
Counsel for Elijah McNair

Date: 12/17/2020

\_\_\_\_\_  
Counsel for Robert Brown

Date: \_\_\_\_\_

**SO ORDERED:**

Dated: White Plains, New York

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THE HONORABLE NELSON S. ROMAN  
UNITED STATES DISTRICT JUDGE

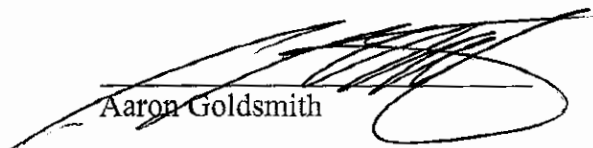






AGREED AND CONSENTED TO:


Counsel for Dante Nicholas

  
Aaron Goldsmith

Date: 1/11/21

SO ORDERED:

Dated: January 13, 2021  
White Plains, New York

  
\_\_\_\_\_  
THE HONORABLE NELSON S. ROMAN  
UNITED STATES DISTRICT JUDGE